Manki-Munda System of West Singhbhum:

Historical Overview of Village Governance and Development

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Abstract

This essay seeks to historically study the ideologies behind the formation and function of the indigenous Manki-Munda system in Kolhan region of the erstwhile Singhbhum district. During pre-colonial times, the institution developed as an autonomous system of social governance to bond the Ho community[1] and promote their welfare. This was co-opted by the British as a lower unit of Raj bureaucracy and invested with new rights and jurisdictions. The ideology at work was to consolidate colonial rule by creating the façade of ruling through the tribal social agencies. As elsewhere in India, the British rulers were inspired by the 'civilizing mission' that inaugurated a paternalistic regime, in which the traditional Manki-Munda system functioned as a political tool to promote the above purposes. After Indian independence, the system encountered the challenge of an alternative form of village governance known as Panchayeti Raj that systematically displaced it from the helm.

Divided in three broad sections, the first section traces the genesis and development of the indigenous institution and its function as an agency of development and change. The second critically examines the process of the incorporation of the institution as a political tool to consolidate British colonialism, and promote change and development. The last postscripts the experiments that state and union governments have made since independence in mainstreamising and democratising the mechanism of rural governance and the final form that it took.

Introduction

During 1947-2010, Bihar (Jharkhand since 2000) State and Union Governments made attempts to lay the basis of a uniform democratic system of village governance known as the Panchayati Raj system. This stoked a debate in the public domain between pan-Indianism, represented by the Panchayati Raj, and regionalism by the indigenous Manki-Munda system. The new experiment with village governance was conducted steadily through the Bihar Panchayat Raj Act, 1947(Bihar Act 7 of 1948), article 243 B of the Constitution Act 1992 (73rd Amendment), Part IX) laying down three-tier panchayat (village, intermediate and district levels), the Panchayats (Extension to the Scheduled Areas) Act by the Indian Parliament in 1996,[2] Jharkhand Panchayati Raj Act (JPRA) in 2001 (amended in 2003),[3] the

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[1] One of the four major Adivasi communities of present-day Jharkhand.

[2] The Provisions of the Panchayats (Extension of the Scheduled Areas) Act, 1996, No.40 of 1996,The Gazette of India, Extraordinary, Part II – Section I, Ministry of Law and Justice (Legislative Department), New Delhi, 24 December 1996, The Controller of Publications, Delhi, 1996.

[3] Jharkhand Panchayat Raj Act, 2001, (Jharkhand Act-6 of 2001)

Jharkhand Panchayati Raj (Amendment) Ordinance of 2010 and the Jharkhand Raj Panchayat (Amendment) Act, 2010(Bill No 93-F of 2010). While recognising the specificity of tribal customs and institutions, these measures sought to introduce a uniform and elected system of village self-rule. However, the concept of Panchayati Raj remained contentious, stirring up social protests in Bihar and Jharkhand. The issues were whether it was proper to retain a hereditary mode of governance in a democratic polity, and whether the Manki-Munda system should continue to function in Kolhan region of erstwhile Singhbhum, when the Panchayati Raj system governed other parts of the country. The Adivasi community in Jharkhand contended that the indigenous system was a symbol of their collective identity, an institution most capable of governing their lives and resources. Spanning between pre-colonial period down to the lived present, this essay seeks to explore what the traditional system was; what was the ideology behind it and how this system was invented during colonial rule. Divided in three broad sections, the first deals with its pre-colonial form and content, second studies its hybridisation during British rule and, followed in the last section by its systematic replacement by the Panchayet Raj.

The Manki-Munda system during pre-colonial period

The Adivasi communities in Jharkhand had developed Manki-Munda and *parha-parganait* systems long before the advent of the British in their territories. These governed their villages (*hatus*) and the supra village formation known as pir-parha-pargana. The origin of the institution was coeval with the adoption of a settled village life. In the case of the Hos of Kolhan, this had occurred when the breakaway Munda groups migrated to Singhbhum from Chotanagpur plateau since the 10th century AD. Since the 18th century AD, they raised their permanent villages in southern parts of Singhbhum, more known as Kolhan. In the history of Adivasi political expansion across Jharkhand, the issue of leadership was differentially crucial. Among the Mundas, we find Risa Munda as their legendary cultural hero, who with twenty-one thousand followers set up the cradle of the Munda community in Murima village and his adherents Koromba and Sutia respectively in Koromba and Sutiambe villages (Hallett 1917: 22). But the story is different in the case of the Hos. The Ho history of colonisation relates the story of village-specific founders, and not that of a generic culture hero as the maker of a unified cradle. The origin of the position of village head is closely related to this history of Ho political expansion. This determined the nature of the post and the ideology governing it.

Village governance and Munda-in-panchayat

Adivasi communities attributed different names to their village head: Munda by the Munda and Ho; Manjhi by the Santal and Mahato by the Oraon. The significance of this office lay in performing a crucial role in the steady graduation of the community from itinerancy to settled village life. This shaped their understanding of what should be the basic character of this post: whether this should be communitarian rather than authoritarian, and what role the Munda should play in shaping the entire course of village-making. Making of a village had different stages: first, the selection of the village site in the forests of Singhbhum by the village founder, called *Ham* in Ho; second, the demarcation of the village boundary and performance of the ceremonial prayer to propitiate the *bonga*, supposedly governing the space; third, building of the huts of the early man and his associates; fourth, invitation to others, and last, allocation of village spaces among later comers for building their huts and preparing lands for cultivation. In setting the norms of settled rural life and cultivation, the leadership of the village founder was crucial.

For performing the historic role of village making, the original founder or the early man became the head or Munda of the village (Roy 1970: 63-4; Bodding 1994: 101). Since, he offered prayer to the spirit of the space, he acted as the village priest, called *Deuri* (Ho), *Pahan* (Munda, Oraon) and *Naeke* (Santal) (Roy 1970:63-4; Roy 1984: 28).[1] Conjunction of the mundane and sacerdotal duties to the same person[2] implied that originally the duty of the Munda was to ensure material and moral well-being of the village and its inhabitants. However, the offices of the Munda and Deuri were bifurcated later, causing the disjunction of the profane and religious roles of the village head.

The next important function of the early man was to set the demographic pattern of the village. He invited members of his family and killi i.e. *haga*, as also members of those killis, called *bala*. However, peopling of the village was a gradual process that continued under the later Mundas also. This way the ethnic character of the villages took shape, converting the villages of Kolhant into multi-killi formations from its original uni-killi character. Demographic profiling took final shape when the Mundas of this region allowed functional castes to settle in conducting village socio-economy. This consummated the making of the village community. Negotiating homogeneous relations among villagers for the maintenance of peace and harmony within his area was the prime duty of the village head.

[1]TSKP, Sini, 3,VN 16.
[2] Ibid, Gundijowa, 3-9, VN 71.

Distribution of village lands was his third important function. This privilege accrued to him by virtue of Adivasi traditional norm which accorded ownership of a village to the founder and his family/killi. Initial land distribution among the founder, his family and associates, generally his agnates, was made at the behest and supervision of the founder. Allocation of village lands among later comers (killis and communities) was often done by the subsequent Mundas. At this stage, village ceased on all practical purposes to belong solely to the founding killi, giving birth to the concept of village land/resources belonging to the village community, as headed by the Munda.

The post of the Munda was hereditary; it descended on male line and remained confined to the founding family/ killi, unless the family became heirless. In the absence of a son, it passed to the nearest male kin of the same family. There was no custom of enacting the practice of social consensus among the Hos as we find among the Santals. Among the latter, the ritual of renewal of social selection of the village head was annually enacted when the Manjhi had to surrender the post and get himself socially selected again. But the tradition of social support was implicit among the Hos also. This can be derived from the fact that the person on whom the post devolved had to be physically and mentally fit to serve the office to the satisfaction of the village community.

The Munda did not govern the village by virtue of his wealth and power. His landed property, though often greater than others, was in no case considerably disproportionate to those owned by the latter, nor had he the power to acquire extra wealth by appropriating revenue like a *zamindar*. He did not head or own an armed force to enforce his command and authority like a feudal lord. He was the social leader for whom villagers felt attachment, rather than fear.[1] The basis of village governance was therefore communitarian rather than authoritarian. As representing the social will of the village community, the Munda functioned more as "first among the equals", than as their overlord. In governing the village, he was assisted by village panchayat, comprising village elders and respectable members of the same village.

We do not have any oral or literate evidence of the jurisdiction and precise functioning of Munda-in-panchayat before the advent of British rule. But on the basis of sparse colonial ethnography and colonial-day mechanism of village governance, we can form an approximate idea of the system during this period. This body had two major functions:

[1] E. Roughsedge to Mr. Secretary Metcalfe, 9 May 1820, para 19, No. 38, Extract Bengal Political Consultations, 3 June 1820.

resolution of disputes for the maintenance of peace and harmony in the village and governance of village common property. Disputes at family and intra-killi levels were solved internally by the head of the family and elders of the killi comprising killi panchayat. Disputes of general nature occurring among killis and communities, as also those, which could not be resolved at the familial and killi levels, came up before the village panchayat, headed by the Munda. These were generally land and marriage related issues, as also crimes like murder and theft committed within the village (Majumdar 1937:60-5; Roy1964: 28.).[1] This social tribunal was held at a central place in the village like the *manjhi than* among the Santal or the *akhara*, i.e. village meeting place, and dancing ground as in Chotanagpur plateau (Man 1983:88; O'Malley 1999: 111; Roy 1935:242).The issues were raised, discussed in the presence of the villagers, arbitrated openly, and a consensual rather than adversarial judgment was finally delivered. The sole purpose was the maintenance of village peace and harmony (Sen 2012:54-5). It does not appear that there was a supra-village body for appeal among the Hos, like *Council of Five Manjhis* under the *parganait* found among the Santals (O'Malley 1999: 112; Archer 1984: 15-24).

The second duty of the village council was to govern common property of the village. This comprised the village forest, uplands and natural water resources like spring and river, besides tanks left behind by the pre-Ho settlers of Kolhan like the Saraks (a community of lay Jains) and Bhuiyans. Customarily, the concept of commonness originated because the ethnic communities in general believed that being *Singbonga*'s free gift to them, these natural resources were common properties to be enjoyed villagers alike. Significant fact was that this notion of commonness was customarily defined and asserted in respect of over ground natural resource only, and not over underground resource like minerals (Sen 2017: 41-6). Significantly therefore, the spelling of the items of village property, as done either by the PESA Act and subsequent Ordinances, elaborated below, was an extension of the ambience of village property itself. We cannot however deny that both the Union and Jharkhand Governments were responding to the claim of rights over natural resources, including mines and minerals, asserted by the Adivasi intelligentsia in the state during post-independence decades (Sen 2018: Chap X).

The question may be begged did indigenous mode of governance promote village development the way the term is meant today? Presumably, the administrators of the village

[1] Captain T. Wilkinson to Lt. Tickell, 13 May 1837, paras. 13, 17-21, Governor General's Agent, SWFPDR, 13 May to 1 December 1840 , vol. 231.

did not make any conscious or noteworthy effort to either conduct or guide the course of village development through building of roads, weekly markets, tanks for irrigation, health facilities, educational institution et al. We cannot however deny that material and moral changes were in motion. Villagers participated in the intra and inter-village barter economy for which forest pathways had developed. Villages adjacent to non-Adivasi villages showed remarkable agricultural growth, a fact lauded in early colonial ethnography.[1] Social institution of *Gitiora* had developed to educate village youth about the traditional social norms. This way, 'traditions and customs', which the PESA Act sought to safeguard, had instilled a sense of distinct Ho 'cultural identity' and ethnicity.[2] However, the most remarkable and conscious attempt initiated by the Mundas was to invite functional castes and allot lands to settle in their villages. Caste groups in a major way paved the advent of modern technology that fulfilled the need of iron implements, clay utensils, cloth and wooden furniture which promoted the growth of agro-rural life among the Hos.

Governance of *pir* and the office of the Manki

The higher unit of village governance was pir, parha or pargana (Roy 1970: 238-48),[3] comprising a varying number of villages. The head of a pir was called the Manki. We cannot definitely say how and when the institutions of pir and Manki originated. One view, as adduced from the Munda[4] history, informs that parha and Manki organically developed out of indigenous matrix. The parha was originally 'a wider brotherhood', rather a socio-political body of 'allied and associated villages', formed to 'afford greater protection to the communities against the aggression of other village units that surrounded them' (Roy 1970: 235-6; Hallett 1917: 23). 'Munda of the parent village, or the strongest and most influential of the headmen' was generally selected as the Manki. Oraon parha system also had the similar origin. But among them the head of parha was called the Raja (ibid.: 23-24). But colonial ethnography on the Ho offers another explanation. The local chiefs of Porahat, Mayurbhanj, Seraikela and Kharsawan created the institutions of pir and Manki and imposed them on the autonomous villages to establish feudal control over the Hos. They were assigned the duties of the collection of land revenue and maintenance of law and order within

[1]Roughsedge to Metcalfe, 9 May 1820, paras 16-8.
[2]S.R.Tickell, the first Assistant Political Agent of Kolhan Government Estate wrote:'They (Hos) have separated themselves entirely from the race from which they sprang viz. the Moondas of Eastern ChootiaNagpoor …When the separation tock place, it is impossible to say but it has become marked not only in manners, dialect and dress, but in appearance.'(Tickell 1840:803).
[3] Wilkinson to Tickell, 13 May 1837, para 4.
[4] The ethnic group from which the Hos originated.

their territories (Tuckey 1920: para 32). Village revenue was collected by the Munda, which was remitted to the chief's treasury through the Manki. We do not have any idea whether Manki and pir had any judicial function as we found among the Munda, Oraon and Santal. Among the latter, the pir council functioned either as a primary or appellate court (Hallett 1917: 66-68).

However, the political control of the local chiefs over the Hos gradually dwindled since 1620 AD. This seemed to have sapped the feudal hierarchisation of village administration and the practice of imposing the control of the Manki and pir over the Mundas and villages. Consequently, the villages regained their earlier autonomy and the primacy of the Munda and panchayat was restored. But the Manki and pir were not completely obliterated. This can be substantiated by the fact that after the Ho territory was conquered by the British, the new administrative unit named Kolhan Government Estate (KGE), formed by them in 1837, comprised 622 villages under 26 pirs.

After the formation of Jharkhand, Adivasi intelligentsia appropriated this historical institution to articulate their protest against the Panchayati Raj System. K.C. Hembrom, the leader of the *Kolhan Raksha Dal* , who considered Manki-Munda System as an essentially Adivasi institution, gave the call *Ho Dostur abua* (Welcome to Ho system) and *Diku Dostur Kabua* (Down with the Diku system).[1] They underlined that their system of village governance was characterised by the ideologies of social selection, people's direct participation and consensual functioning; it was conducted by the Munda and panchayat, comprising *Moy Ho* i.e., five members. This was therefore antithetical and superior to the party-centric Panchayati Raj formed through secret ballot and arbitrarily run by the *mukhiya* and *sarpanch*.[2] Interestingly, this self-narrative suffered from an identification problem. They were confused whether to locate their identity in pre-colonial original institution or the hybridised institution during the colonial period. Confusion was created mainly because of fragmentary knowledge about the pre-colonial past, as compared to the colonial. Consequently, they often identified their mechanism of village administration as filtered by the British to be their original system. This will be elaborated in the next section.

[1]Prabhat Khabar, ,24 January,23 September,7/23 October, 2010; 14 January, 14 April, 4 May,19/23 September;7/22 October, 2010; Ranchi Express, 14 January 2010;DainikJagaran, 23 January,1/25 October 2010.
[2]Hindusthan, 4 May 2010.

British rule and the changing system of village governance

Instead of implementing the system as it existed, the British restructured it to suit their ideology of governance. Bentinck-day[1] ideology was to give due recognition to indigenous mode of village administration. As the existing rural governance represented to the British 'a tribal and communal system of self-government of a purely natural growth',[2] they incorporated it into British bureaucracy. Through this co-option, British rulers wanted to impress the Hos that they would continue to be governed by their social leaders. This was obviously a ploy to stave off the fear of tribal unrest. Second, colonial rulers avowed that this system was intended to save them from the non-Adivasis by fencing them off from the mainstream. To quote: 'In the Kolhan we are dealing with a protected race. The Hos have been protected against contact with the outer world by the complete recognition of their communal system of government.'[3] Furthermore, the British wanted to politico-economically integrate Kolhan within Raj framework. The village and pir were therefore brought under the progressive control and superintendence of the district, divisional, provincial and central administration. In this administrative hierarchy, the lowest official was the Munda; Manki was his superior; and deputy commissioner was the head of the district administration. This structure functioned under the superintendence and control of commissioner, provincial and central administration. It was natural therefore that Manki-Munda system lost its pre-colonial autonomy and the social functionaries were converted into government officials.

Bureaucratisation of social functionaries was done by bringing them under clearly defined powers and jurisdictions. First, specific rules of their appointment, service and dismissal were framed. The British more or less legitimised the traditional familial, hereditary and male-centric norms of appointment to these posts.[4] They legalised seniority and adulthood criteria in the appointment to these offices. Digressing from Ho tradition, British administration made literacy criterion obligatory so that village officials could effectively serve the administrative machinery run by written laws and procedures.[5] More notable was

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[1] Lord William Cavendish-Bentinck, the Governor General of India, 1828-35

[2] Note on the Kolhan resettlement recorded by Mr.J.D.Sifton, ICS, Settlement Officer of Chota Nagpur on the 30th May 1914,Appendix A, [Enclosure (3) to Progs. No. 6],para II , vide Resettlement of the Kolhan Government estate in the district of Singhbhum.Government of Bihar and Orissa, Revenue Department, FN S/6 of 1915, Nos 1-12.

[3]Ibid., para II, (iii-iiv).

[4] CSVN, FL, Mis Case No 235 of 1907-8, Goi Munda of Argundi tendered resignation of his Mundaship and prays that it should be accepted, Argundi, 2-8, FS 9, VN 758.

[5]CSVEP, FL, Mis. Case No 162 of 1908-9, Petition of Manki Ho, Ghuntia ,1-3, FS 4, VN79;CS,Village Note, FL, Mis. Case No 661 of 1910-11, Kolhan Inspector's report on succession of Uchba Manki's ilaka, Dhobadhobin, 2-3, FS 5, VN 494.

however the invention of the customary norm of social approval. Knowledge of this is relevant particularly because of contemporary claim, as related above, that Manki-Munda system was a socially selected and consensually functioning customary institution. It seems that during pre-British period incumbency of the familially chosen candidate, not suffering from infirmity, inefficiency or misconduct, received tacit social approval, though formal enactment of the annual social approval like the Santals was not in practice among the Hos. In normal cases, the British allowed the above practice to continue. But while appointing a Munda from outside the original family, due either to the extinction of the direct line or family taint owing to past record of dismissal, it became imperative to elicit the opinions of the Manki and villagers. Similarly, support of villagers of the pir was made necessary for appointing a Manki.[1] Besides framing of appointment rules, the British introduced the punitive measure of dismissal and imposition of fine on village officials for disobedience and misconduct. When a village official was dismissed, the said family was debarred from succession to the post. During British rule, due to recurring cases of misconduct, appointment outside the derelict family became the rule.[2]

Under colonial rule, village officials were assigned the power of collection of revenue, maintenance of law and order, deliverance of justice and promotion of development within their territory. The rights and duties were elaborated in the *pattas* issued to a Manki and Munda during the land revenue settlements of 1838, 1867, 1895 and 1914.The British officials believed that this 'system of village polity is clearly one which should be carefully fostered and the introduction of any law which would tend to weaken or break it up is to be deprecated.'[3]

It was made incumbent on the Manki to oversee and ensure due and timely collection of land rents of villagers and their remittance at the district treasury by the Mundas. The duty of the Munda was to collect rent from villagers in two unequal installments. The default in payment was a penal offence for which he could be subjected to forfeiture of commission, fine, attachment and sale of property and finally dismissal.[4] On being sanctioned by the Deputy Commissioner, the Munda could appoint a *Tahsildar* whose duty was to maintain

[1]CSVEP, FL, Case No 124 of 1900, Pasubera, 1-2, VN 128;Mis. Case No 226 of 1911, Man Singh Ho's Application for Mankiship, Binj, 1-7;Mis. Case No 484 of 1910-11, Kolhan Deputy Collector of Singhbhum's report about the case arising out of Criminal case No 344 of 1910, Barbil, 2-9,FS 25.

[2]CSVEP, FL, Mis Case No 241 of 1905-6, BandhuManki vs Chamru, Pradhan, Sangi&Toklo Munda, Pandrasali, 1-19, FS3 , VN 68.

[3] Note on the Kolhan resettlement recorded by Mr.J.D.Sifton, para II

[4]Wilkinson to Tickell, 13 May 1837, paras. 8, 18-21, 30-33; 'Translation of a Sunnud given by Captain Tickell to Raoria, Mankee of Kowsillapossi in Bur Peer, dated 10thDecemeber 1838'(Aitchison1930: 361-2).

account and grant receipts for rents to payers. The village head was required to ensure that that the Tahsisldar followed the rules strictly.[1] For the performance of their duties, the Manki and Munda were entitled respectively to 10 and 16% commission of the total amount collected by them.[2] The above measures made fundamental changes in the process of resource mobilisation within a village. First, the right of the village community to mop up resource was withdrawn; instead of indefinite and irregular payment of subscription, fixed and timely payment of rent was introduced and default in payment was made a punitive offence for the villagers and collectors.

The village and pir heads were the primary agencies for the maintenance of law and order within their areas.[3]The police had no jurisdiction in Kolhan.[4]As local police functionary, the duty of the Manki and Munda was to see that peace and order were not disturbed in the village and pir. Furthermore, they had to apprehend criminals and deliver them to the nearest *thana*.[5] The village and pir *Dakua* or *Chaukidar* helped them in apprehending the offenders and carried the report to the thana. Interestingly, while the post of pir dakua was officially recognised, that of the village was not (Sahu 1985: 134).Significant fact was that during early decades, elaborate mechanism of maintenance of law and order had not developed and thanas and police personnel were very few in number. So the District administration heavily depended on village officials for keeping Kolhan free from any disturbances and crime.

As enunciated through Wilkinson's[6] civil and criminal rules and his letter written to his assistant Lt. S.R.Tickell,[7] Manki, Munda and village panchayat were accorded specific judicial powers. Wilkinson instructed Tickell to make 'as much use as possible of Panchayets taking care to select the most respected and intelligent amongst the Coles to compose the Panch.'[8] This body was to comprise "three or five persons to be selected by the agents or assistants from amongst the persons most conversant with the matter at issue" (Sen 1999:88). This imprecision in the composition rebuts the contemporary claim that village panchayat

[1] *Hakuknama* (Record of Rights), Kolhan Governement Estate, District Singhbhum, Settlement1897, 12.
[2]'Translation of a Pottah given by Captain Tickell to Raoria, Mankee of Kowsillapossi in Bur Peer, dated 19th March 1838'(Aitchison1930: 363).
[3] *Hakuknama* (Record of Rights), Kolhan Governement Estate, District Singhbhum, Settlement1897, 12, 17.
[4] Note on the Kolhan resettlement recorded by Mr.J.D.Sifton, para II, (iii-iiv).
[5] Rules for the administration of Criminal Justice in the Colhan of Singhbhoom and Bamanghatty under the Political Agent of the South Western Frontier, 6 June 1837, No.615, SWFPDR, Vol.231, paras.4-7.
[6] Thomas Wilkinson was the Political Agent to the Governor General of the South Western Frontier Agency.
[7]Wilkinson to Tickell, 13 May, 1837
[8]ibid., paras. 18-21

comprised Moy Ho (Five Hos). Furthermore, it was also not imperative to keep the selection among the Hos only. Wilkinson's rules stipulated that in inter-village disputes, panchayat was to be "selected from amongst the head, most influential, and respectable men of the adjacent villages" (ibid.: 89). However, confining the selection from among village and pir heads as well as substantial *raiyats* became the normal practice.[1] The Manki-Munda-panchayat came to be invested with primary and original jurisdictions in Kolhan court system. It was their duty to make local enquiries, adduce and interpret customs, give their award in a properly constituted panchayat. On this basis, the final judgment was awarded by the district administration (Sen 2012: Chap IV).Wilkinson's civil rules (ibid.:68) and section 76 of Chotanagpur Tenancy Act (CNT Act) of 1908 (Datta 1928:185) made 'common law' and tribal customs the basis of delivering justice. In normal practice, village officials appropriated customs from village elders and interpreted them before the local courts. But during British rule, the judges reinterpreted the customs as per the British ideology of equity, uniformity and justice (Sen 2012: 81-137). Local administration claimed that in this Kolhan system 'the Hos have nothing to do with the numerous petty officials of the Khas Mohal, Tahsildars, Excise Officers, etc.'[2] In fact, the village court system was kept under the revenue officers like Settlement Officer and Assistant Settlement Officer with the Deputy Commissioner as the final authority (Sen 2012:73-80).

The British deployed village and pir heads as agencies for promoting development of the area. Since rich forest and mineral resources of Kolhan provided the essential raw material for material growth, the primary concern of the local administrators was to assert state control over these resources. But the local administration had two immediate problems to resolve. First, they found that delinquency of tribals extended beyond their militant uprisings, as they indulged in rampant destruction of natural resources, particularly the forests. Therefore, the fear was rife that 'If left to their own devices the aboriginals will clear everything in less than one generation.'[3] Protection and judicious management of state resources became understandably the prime purpose of governmentality. Second, while implementing state ownership of land, water and forest, they had to resolve the disjuncture from the Adivasi notion of village community as the ultimate owner and manager of these

[1]CSVEP, Form of Order Sheet, Land Dispute Suit no86 of 1895-96 between Sridhar Kol& others of Rajabasa vrs CharaKol of Goontia, Gara Rajabasa, 38-42, VN74.
[2] Note on the Kolhan resettlement recorded by Mr.J.D.Sifton, para II, (iii-iiv)
[3]Report of L.B.Burrows, para 6, Appendix to DC, Singhbhum's letter to the Commissioner, No.181R of 15 May, 1912, vide Constitution of the Kolhan Reserved Forest Division.

resources. Colonial rulers were careful not to trigger tribal protest by ignoring Ho customary forest and land rights.

Drawing on the pre-colonial tradition, the local administration therefore created a shared realm of management of village natural resources to elicit local support. The records of rights entrusted the Munda and Manki to 'protect' and 'look after' the trees of the protected forest and village or his circle, protect forest from fire, damages and encroachments by villagers and report the same to the Deputy Commissioner. They were required to repair and protect *bandh* or tank, irrigation works, boundary pillars and village roads with the help of 'his raiyats.'[1] Instead of assigning local development projects to private contractors, the normal practice was to advance money to the Mundas and Mankis to get these done at the local level 'at half the rate'.[2] Similarly, to regulate the management of village land, the Munda was required to prevent any transfer or alienation of land and 'to inform the Deputy Commissioner of the transfer of land by gift, sale, mortgage or when land passes into the hands of another by partition or of settlement of waste or relinquished land.' Besides these, the village and pir heads were required 'to encourage all works of improvement and measures calculated to add to the prosperity of the people' Significantly, as regards moral growth of people the Manki was enjoined to 'promote education among the people and to have his own heirs educated.'[3] Furthermore, the Mankis and Mundas had to supervise and execute officially commissioned projects for developing the system of transport and irrigation. Understandably, for allotment of fund and preparation of the schemes they had to rely on the district administration. Money was generally allotted from Kolhan Improvement Fund.[4]

During the entire span of British rule, village officials generally collaborated with local administration. They regularly collected and deposited land revenue in the district treasury as evident from high percentage of revenue collection.[5] They managed their police duties to the best of their capability. The efficacy of the system during early part of British rule earned official recognition. The Superintendent of Police, Singhbhum admitted: 'The Manki and Munda system I believe worked well in former years when the Kols were the principal inhabitants of the Kolhan and when they acknowledged and respected the authority

[1] *Hakuknama* (Record of Rights), Kolhan Governement Estate, District Singhbhum, Settlement1897, 12-7.
[2] LRAR 1907-8, DCOS, RB, CN XI Returns, FN 16, para 21
[3] '*Hakuknama* (Record of Rights), Kolhan Governement Estate, District Singhbhum, Settlement1897,12-7.
[4] LRAR 1907-8, DCOS, RB, CN XI Returns, FN 16, para 21.
[5]ibid,, para 3.

of their headmen'.[1] These officials could resolve 'all the minor disputes among the villagers',[2] which ably fulfilled the colonial policy of expeditious justice and distancing Adivasis from British courts and lawyers. Protection of natural resources from destruction of villagers and rapacity and infringement of outsiders was the other job more or less done well.

The Mankis and Mundas could build a bridge between the villagers and the government. They could act 'as a political intermediary between Government and the raiyats… All Government orders and intentions are communicated to the people through them and through them the latter lay their grievances to the Government authorities in charge of the Kolhan.'[3] This became amply clear when the government proposed periodic enhancement of land revenue during Hayes (1867) and Craven land revenue settlements(1895-97) by convening the meetings of the Mankis, Mundas and villagers of Kolhan (Dalton 1973:184).[4] Similarly, village and pir heads, worked in tandem with the local administration in trying to lower the rate of *gonong* (Dalton 1973:192), curbing growing incidence of illicit social relations and fixing a uniform date for the *Maghe parab*.[5]

Conjunction and collaboration made however one aspect of this relationship. We have instances when the Manki-Mundas were at variance with the local administrators. During Craven land revenue settlement (1895-98), when the Deputy Commissioner proposed that all *gora* lands be taxed, 44 Mankis and 85 Mundas initially raised their objections. The village heads permitted dikus to settle and own lands in tribal villages in contravention of the provisions of Wilkinson's civil rules (1837) and Thomson's rules[6] (1900). Presumably, this was their ploy to assert their pre-colonial customary right of ownership of villages. Furthermore, despite official instructions, the Mundas refrained from reporting all cases of land transfer through gift, sale and mortgage, inheritance and partition to the district administration (Sen 2011:213). In a memorial presented to the Lieutenant-Governor of Bihar and Orissa, the Mankis, Mundas and the raiyats of Kolhan asserted: 'That formerly the

[1] From A.S.Judge, District Superintendent of Police, Singbhoom to the Deputy Commissioner of Singbhoom, No 610 of 24 June 1890, para 2, vide Gleanings of Thanna Jurisdiction, FL, DCOS, Judicial Department, CN 1 Criminal, FS 2, FN 40 of 1890

[2] Note on the Kolhan resettlement recorded by Mr.J.D.Sifton, para II, (iii-iiv).

[3] Note, dated the 11th September 1914, on the Kolhan resettlement recorded by Babu DahnMassi Panna, Sub-Deputy Collector and Assistant Settlement Officer of Chota Nagpur, Appendix K. [Enclosure (13) to Progs. No. 6], para 2, vide Resettlement of the Kolhan Government estate in the district of Singhbhum.Government of Bihar and Orissa, Revenue Department, FN S/6 of 1915, Nos 1-12.

[4]R.H.Renny, Dy. Commissioner Singhbhum to the Commissioner of Chotanagpur Division, Chaibasa, 29July/ 3August 1893. No 307R. Fly Leaf 1892-3, 1893-4 DCOS, RB, CN III Settlement, FN1893-4, Kolhan Settlement in Singhbhum, paras 9-17.

[5] CS, FL, Mis. Case No. 1021 of 1909-10, Kolhan Dy. Collector's report about celebrating Mage Parab before proper date, FS 11, Dumria, 1-2, VN 514.

[6] Rules issued by W. B. Thomson, the Deputy Commissioner of Singhbhum, prohibiting the transfer of arable land to a *Diku* and ordering their exclusion.

Mankis and the Mundas as well as their tenants had absolute right in the forest produce, to clear the forest land for extension of cultivation … and to graze their cattle there'[1]

The above reasons tended to create doubt in the efficiency and sincerity of the Mankis and Mundas. Due to the supposed reason of lack of education, officials believed that the Manki and Mundas were unable to report all cases of transfers, partitions, and settlements of lands in their villages. So the Commissioner of Chotanagpur suggested that a special establishment consisting of a sub-deputy collector, a clerk and 11 amins be appointed.[2] To keep vigil over diku settlement, the post of Kolhan Inspector was created. In one of his reports, the official observed: 'From my long experience of the Manki and Mundas I regret to report in general of the untruthfulness in bringing light the sale and mortgage cases'.[3] Similarly, the efficacy of the existing village level police system under the headmen was doubted by the district police head. He maintained: 'it is found necessary to depute an officer for making an enquiry…of late years they have become more litigious and resort more to the law courts and there has been a great influx of foreigners into the Kolhan.'[4]

Lastly, the district administration held the Manki-Munda system incapable of efficiently promoting the policy of development. The paradox was that, though the development projects could not as a matter of policy be assigned to diku contractors, in the eyes of the district administration the role of local agency was 'unsatisfactory'; Common complaint was that the Mankis and Mundas were 'dilatory in carrying out their work'; the quality of work done through their agency was bad.[5] Local administration therefore subjected the entire system to the control and supervision of Kolhan deputy collector, Kolhan Inspector, Kolhan Overseer and sometimes the District *Kanungo*.[6]

Postscript

During the post-independence decades, the powers and jurisdictions of the Manki-Munda system shrinked further. Under Bihar and Jharkhand governments, the village and pir heads were allowed to function, at least on paper, as revenue, judicial and police agencies. But they

[1]Copy of memorial presented by the Hos at Chaibasa, para 7.
[2]E. G. Collin, Officiating Secretary to the Board of Revenue, Lower Provinces, to the Secretary to the Government of Bengal, No 593A, 20 June 1898, Civil Suit Rules, FL,DCOS, RB, CN I GR, FN 57 of 1903-4, FS 17, para 2.
[3]Note of BagunJarika, Kolhan Inspector of 24 August 1903, para 1, enclosure to the letter of Deputy Commissioner of Singhbhum to the Commissioner of Chotanagpur, FS 9, Civil Suit Rules.
[4]FromA.S.Judge, District Superintendent of Police Singbhoom to the Deputy Commissioner of Singbhoom, para 2.
[5] LRAR 1907-8, DCOS, RD, CN XI Returns, FN 16, para 21.
[6] LRAR 1910-11, Appended to LRAR 1911-12, DCOS, GD, RB, CN XI, FN 1 of 1911-12, para 21.

were actually to share their domain with the Circle Officer and *karmacharis*, the regular police department and the district administration (Sundar 2009: 194-9). Perhaps the worst phase began when they had to encounter the challenge from the alternative system of rural self-government known as Panchayati Raj. The questions were raised whether it was proper to retain a hereditary mode of governance in a democratic polity and whether a regional system should continue to function when the Panchayati Raj system governed other parts of the country. This presaged the progressive introduction of the new system, as narrated above, culminating in the passage of the PESA and subsequent Acts. The Panchayati Raj system has transformed the system of rural governance further, though the modified system of village governance is to a great extent an amalgam of the traditional and modern.

It will be interesting to know how this mechanism has been structured, and to what action it is an interface of the traditional and modern. First, the introduction of adult franchise has put an end to the hereditary nature of the traditional system. Second, strict and definite procedure for the composition of the panchayat is clearly innovative. Accordingly, the panchayat has been brought under the constitutional provision of reservation of posts in proportion to the population of the concerned communities. It is stipulated that the Scheduled Tribe (ST) membership in no case be one-half of the total; the posts of Chairpersons of Panchayats at all levels are to be reserved for the STs. These changes tend to strengthen the indigenous character of village governance which more or less characterised Ho-dominated villages. But we notice a clear digression from the tradition in the provision of Jharkhand Raj Panchayat (Amendment) Act, 2010 of reserving at least fifty percent seats for the Scheduled Castes, Other Backward Castes (OBC) and women. Reservation of seats for women marks a movement from the patriarchic tradition of the Manki-Munda system. De-recognition of the supra-village pir/ parha formation registers yet another shift from the tradition (Sundar 2005: 4432).

We cannot however deny that Panchayati Raj system has considerably strengthened the rural governance mechanism. The elected body of Gram Sabha (GS) has been vested with wider and more powers than the colonial-day Manki-Munda system. This has been empowered to 'safeguard and preserve the traditions and customs of the people, their cultural identity, community resources and the customary mode of dispute resolution'. We can read this as a recognition of Ho tradition and cultural identity. The next registers a clear cut policy of co-opting the GS as a developing agency. This marks an extension of the colonial-day role of the traditional system. Accordingly, the Panchayat in conjunction with GS has been

empowered to implement plans, programmes and projects for social and economic development; acquire land for development purposes; GS is entrusted with the planning and management of water bodies; recommendation of GS is made mandatory for the grant of prospecting license or mining lease or for the exploitation of minor minerals. Furthermore, pre-colonial day practice of village community headed by the Munda as the owner and governor of village resources is re-invented in the next provision of the Panchayat system. This legitimises the village panchayat as the owner of minor forest produce; it is empowered to prevent alienation of tribal land and effect its restoration if done in an unlawful manner, to manage village markets, to exercise control over institutions and functionaries in the social sectors and to control over local plans and resources for such plans including tribal sub-plans.[1] But at the same time, under the new system the right of ownership of minor forest produce and the right to recommend licenses/leases of minor minerals and regulate liquor sales have been withdrawn (Sundar 2005:4433). Another area of change-in-continuity is the re-invention of the office of the Munda. Though, the Munda is virtually denied any role, the Jharkhand Panchayat Raj Act (JPRA) in 2001 (amended in 2003) has empowered traditional village head to preside over the GS and extended wide range of powers to administer the affairs of the village and regulate its welfare in the light of the PESA Act.[2] But the right extended to the state government to deny or modify the existing powers of GS considerably dilutes the extended autonomy to the village bodies (Sundar 2005:4433).

The entire period of the introduction of Panchayati Raj during 1947-2010 charged the public domain unprecedentedly. It will be topical therefore to have a look at the political scenario, particularly the debates around the Panchayati Raj system and responses of the Adivasi communities to diverse changes.[3] This inaugurated a new brand of politics that involved Adivasi communities of Bihar-Jharkhand, the non-tribal elements known as *Sadans-Mulbasis* who had been living here for centuries and the State and Union governments, who debated over such issues as Adivasi identity, the status of the Sadans-Mulbasis and the efficacy of pursuing the policy of centralisation or giving recognition to the traditional mode of governance. This essay would however seek to concentrate on the responses of the Adivasi communities to the diverse modifications of the system during the period under review.

On the whole, attitude of the Adivasi communities in Jharkhand to the changes in their traditional system was ambivalent. First, there was a regional polarisation of Kolhan-

[1] The Provisions of the Panchayats (Extension of the Schedulaed Areas) Act, 1996, No.40 of 1996
[2] Jharkhand Panchayat Raj Act, 2001, (Jharkhand Act-6 of 2001)
[3] For more detailed information see (Sen 2018: 125-32).

Porahat, where Manki-Munda system had survived and the rest of tribal region in Jharkhand where it had progressively been side-lined.[1] Demographical polarisation was also visible at two levels. While attitude of Ho and other Adivasi communities varied, even the Ho society stood divided between votaries and detractors of the Manki-Munda system and Panchayati Raj.

Furthermore, even advocates of the Manki-Munda system were divided into radical and moderate factions. The former were vocal against any kind of dilution in the traditional mode of governance. After the first panchayat elections in 1978, K. C. Hembrom, the head of the *Kolhan Raksha Dal* and A. K. Sawaiyan, a local lawyer, argued that as the institution of Manki-Munda was an inviolable system of tribal governance, Panchayati Raj could not be enforced here.[2] During the movement for the creation of a separate state which sharpened after 1947, Adivasi political groups of Jharkhand region like *Jharkhand Pradesh Parha Raja*, *Majhi Parganait Manki Munda, Doklo Sohor Mana Samiti*, Manki-Munda Sangh, Kolhan Raksha Sangh and the National Indigenous Party (NIP) reiterated that their system of social governance through the Manki-Munda was basic to their identity. They were united in opposition against the holding of panchayat election when the State government planned to hold it in 2005 (Sen 2018:).[3] When the State Government announced the dates of election in 2005, some of these bodies formed a common forum called the *Kolhan-Porahat Panchayat Birodhi* and *Sanjukt Sangharsh Samiti* to resist election at all costs.[4]

However, the moderate group took a middle position between the traditional and exotic systems. They mainly veered around the PESA Act. Johar, a Kolhan-based NGO, set up over 800 Gram Sabhas between 1996 and 2001. [5] *Adivasi Mahasabha* and the *Adivasi Adhikar Morcha* strongly advocated for panchayat elections.[6] At the meeting of *Jharkhand Buddhijivi Manch* held at Ranchi Central Library, R. D. Munda affirmed that as PESA Act

[1] Oraon *parha panchayat* ceased to function by the second half of the last century, and among the Mundas, this institution was operative in a few blocks only. Nandini Sundar, 'Framing the Political Imagination: Custom, Democracy, and Citizenship'. in Nandini Sundar (ed.), *Legal Grounds: Natural Resources, Identity, and the Law in Jharkhand,* Oxford University Press, New Delhi, 2009, p.197.
[2] Nandini Sundar, ' 'Custom' and 'Democracy' in Jharkhand', p.4433.
[3] Prabhat Khabar, 1/2/5 September 2005; Ranchi Express, 5 September 2005; Dainik Jagaran, 10 September 2005.
[4] Prabhat Khabar, ,24 January,23 September,7/23 October, 2010; 14 January, 14 April, 4 May, 19/23 September; 7/22 October, 2010; Ranchi Express, 14 January 2010; Dainik Jagaran, 23 January,1/25 October 2010.
[5] Through election a committee was formed which elected its head who was generally the Munda. Nandini Sundar, ' 'Custom' and 'Democracy' in Jharkhand', p.4433.
[6] Ranchi Express, 9 September 2005. Dainik Jagaran, 10 September 2005.

reflected the essence of Jharkhand movement, its implementation would strengthen democracy at the grass-root, which represented the true identity of an Adivasi.[1]

It becomes clear therefore that over centuries as the system of village governance was reinvented, the attachment of Adivasi communities to their traditional institution waned considerably. The primary reason for this was its progressive marginalisation under feudal and colonial rules when alternate form of authority wielded by the feudal and colonial states displaced society as the fountain of authority. The emergence of this alternate source of authority as the governor of the tribal landscape eroded the loyalty of the people in general and respectable and educated villagers in particular to the traditional system. What was somewhat latent and subterranean during colonial period became more manifest and sharp during post-independence period. This inflated the ranks of the votaries of Panchayati Raj. We can imagine that these elements raised demands that factored the pro-Adivasi modification of the Panchayati Raj mechanism itself. We cannot ignore another heterogeneous trend and this was the emergence of gender aspiration whom the colonial state had empowered through legitimisation of their right to property (Sen 2011:). Their stand received decisive support when the *Bharatiya Janata Party*, *Jharkhand Mukti Morcha*, *Jharkhand Vikash Morcha*, *All- India Jharkhand Students Union* and local leaders of the Congress Party openly supported panchayat election.[2] During the panchayat elections held in 2010, it was not unnatural that 70% polling was registered with pronounced gender support.[3] The fact however cannot be denied that despite dissipation, votaries of the Manki-Munda system, that include the ranks of the Manki-Mundas as also a section of the Ho Adivasis, continue to articulate their support to this institution as a marker of their collective selfhood.

[1] Dainik Jagaran, 7 February 2010. D.S.Bhuria declared at Ranchi that Pesa Act represented the fundamental right of adivasis. Ranchi Express, 17 March 2010.
[2] Ranchi Express, 23 January 2010;Hindusthan, 8 October 2010;Prabhat Khabar, 8 October 2005, 6/10 October 2010; Dainik Jagaran, 9 October 2005.
[3] Hindusthan, 8 October, 14 December 2010;Prabhat Khabar, 12 October, 8 December 2010; Ranchi Express, 9 December 2010

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